



Legal Protection for Children in Cases of Domestic Violence in the Indonesian Households

Rifdah Alifiyah¹, Isa Anshori²

¹Fakultas Agama Islam Universitas Muhammadiyah Sidoarjo

²UIN Sunan Ampel Surabaya and Universitas Muhammadiyah Sidoarjo

✉ *alifiyahrifdah03@gmail.com*

Abstract

This study aims to investigate and evaluate the many legal protections available to children who experience domestic abuse. Additionally, it seeks to provide a comprehensive framework for enhancing legal protection measures specifically designed for child victims of domestic violence. This study employs a normative approach to analyze legal issues by examining legislation. The material examined pertains to legal statutes and laws concerning instances of familial child abuse. This study establishes that child domestic violence can manifest in various forms, including physical, sexual, emotional, neglect, and economic abuse. The act of violence infringes upon the rights of children and adversely affects their overall welfare, leading to diminished cognitive abilities, impaired emotional regulation, challenges in social interaction, psychological developmental disorders, difficulties in establishing relationships and trust, increased susceptibility to depression and anxiety disorders, and various mental health issues. The legal safeguarding of children in Indonesia is governed by Law No. 23/2002 on Child Protection, which was subsequently revised by Law No. 35/2014. This legislation serves as the legal foundation for the protection of children, including all endeavors aimed at ensuring their safety, well-being, and the fulfillment of their rights to thrive, mature, progress, and engage fully

Keywords: Legal Safeguards, Children, Intimate Partner Abuse

Abstrak

Penelitian ini akan mengkaji dan menganalisis bentuk perlindungan hukum bagi anak dalam kasus kekerasan dalam rumah tangga serta mengajukan konsep upaya perlindungan hukum bagi anak korban kekerasan dalam rumah tangga. Penelitian ini merupakan kajian hukum normatif dengan menggunakan perundang-undangan. Data yang dianalisis adalah aturan hukum dan perundang-undangan yang terkait kasus kekerasan anak dalam keluarga. Penelitian ini menyimpulkan bahwa kekerasan dalam rumah tangga terhadap anak dapat berbentuk fisik, seksual, emosional, pengabaian, dan ekonomi. Kekerasan ini melanggar hak-hak anak dan memiliki dampak negatif pada kesejahteraan mereka, seperti penurunan fungsi otak, kesulitan mengendalikan emosi, kesulitan bersosialisasi, gangguan perkembangan psikologis, sulit membangun hubungan dan kepercayaan pada orang lain, risiko depresi dan gangguan kecemasan, serta masalah kesehatan mental. Perlindungan hukum bagi anak di Indonesia diatur dengan UU No. 23/2002 tentang Perlindungan Anak yang kemudian diperbaharui dengan UU No. 35/2014. Undang-undang tersebut sebagai dasar hukum perlindungan anak meliputi segala kegiatan yang melindungi dan menjaga anak dan haknya untuk hidup, tumbuh, berkembang dan berpartisipasi secara optimal.

Kata Kunci: *Perlindungan Hukum, Anak, Kekerasan Dalam Rumah Tangga*

Introduction

Indonesia is a nation founded on the fundamental principle of upholding the rule of law. The significance of this idea lies in the fact that law operates as a framework of regulations, standards, and penalties employed to govern human conduct, preserve societal harmony, ensure fairness, and avert disorder. Over time, law enforcement in Indonesia has achieved advancements that have garnered support from nations worldwide. The emergence of diverse legal instruments, both at the national and international levels, demonstrates the advancement made in achieving legal goals, specifically in upholding peace and public order.¹

The family serves as the primary context in which children engage in the process of learning and develop their social identities. The family serves as the initial catalyst for shaping children's conduct, character, values, and education. The parenting techniques employed within a family play a crucial role in molding an individual's attitudes, as parents serve as the primary influencers in instilling values within their children. The duty and responsibility of parents play a crucial part in

¹ Rosmalinda Rosmalinda and Ningrum Natasya Sirait, "The Right of Restitution for Child Victims of Sexual Violence in Indonesia," *IJUM Law Journal* 29, No. 2 (2021), p.167-197. Karenina Aulery Putri Wardhani, "Perlindungan Hukum Terhadap Perempuan Korban Kekerasan Dalam Rumah Tangga (KDRT) Pada Tingkat Penyidikan Berdasarkan Undang-Undang No. 23 Tahun 2004 Tentang Penghapusan Kekerasan Dalam Rumah Tangga (UUPKDRT)," *Jurnal Riset Ilmu Hukum* 1, no. 1 (2021), p. 21-31.

implementing discipline in children, notwithstanding the occasional challenges or difficulties they may face. These impediments result in acts of violence perpetrated against children.²

Children are a divine's responsibility and blessing, possessing intrinsic honor and dignity as full individuals.³ Bestowing a child upon parents does not grant them unrestricted authority to shape the kid's life as they like, but rather entrusts them with a sacred obligation to nurture and guide the child, which is ultimately accountable to a higher power. Children, being entrusted, necessitate supervision and safeguarding.⁴

In Indonesia, child protection policies are implemented based on the societal requirements of the country. The international community monitors compliance with children's rights as outlined in the Convention on the Rights of the Child, which has a beneficial influence on the development and protection of children in Indonesia.⁵ Children possess the same essential rights as adults, known as human rights (HAM). Only a few parties prioritize and implement tangible measures to safeguard the rights of children. The family plays a crucial part in shaping children's personality from a young age, as it provides a nurturing environment for their development.⁶ Legal protection is necessary for children in this scenario, as they are not just a valuable resource for both the nation and families.⁷

The topic of child protection has been extensively addressed in regulations about legal frameworks, cultural norms, and religious doctrines. However, despite these efforts, there has been a persistent rise in violations of child protection throughout the years. This can be attributed to a lack of forward-thinking approaches and a tendency to perceive the issue as a novel problem⁸. Child protection is a sort of national defense and security that focuses on safeguarding the well-being and best interests of children. Implementing child protection will foster the development of a stronger and more resilient nation. By instilling a knowledge of the philosophy of *Pancasila* and cultivating a sense of national defense from

² Ida Bruheim Jensen, et.al., "Child Protection Social Workers' Constructions of Children and Childhood: An integrative Review", *Child & Family Social Work* 25, No. 1 (2019). Didi Sukardi, "Perlindungan Hukum Anak Korban Penelantaran Orang Tua Berbasis Hukum Positif dan Islam," *Jurnal Kajian Hukum Islam* 184, no. 2 (2016), p. 184-96.

³ Didi Sukardi, "Perlindungan Hukum Anak Korban Penelantaran."

⁴ Muhammad Zaki, "Perlindungan Anak Dalam Prespektif Islam," *Jurnal Hukum Ekonomi Syariah* 6, no. 2 (2014), p. 1-15.

⁵ M. F. Said, "Perlindungan Hukum Terhadap Anak Dalam Perspektif Hak Asasi Manusia," *Jurnal Cendekia Hukum* 4, no. 1 (2018), p. 141-52.

⁶ Rahmi Arif, et.al., "Perlindungan Hukum Terhadap Anak Korban Kekerasan Dalam Rumah Tangga," *Jurnal Mercatoria* 3, no. 1 (2010), p. 34-44.

⁷ Zaki, "Perlindungan Anak Dalam Perspektif Islam."

⁸ Said, "Perlindungan Hukum Terhadap Anak Dalam Perspektif Hak Asasi Manusia."

early life, we can lay the foundation for a better future. Conversely, when a significant number of individuals disregard child safeguarding.⁹

The significance of comprehending child law can be inferred from the provisions of Law No. 3 of 1997 about juvenile courts, which stipulates that children constitute the youthful generation and represent a vital component of the human capital required to perpetuate the values of the nation's endeavor. Parents are the primary decision-makers and leaders within a family. Consequently, children emulate their parents as exemplars for themselves, encompassing speech, character, behavior, and conduct.¹⁰

The research will focus on examining the legal safeguards provided for children in cases of domestic abuse, as well as exploring the measures taken to ensure effective legal protection for children who have experienced domestic violence. Hence, the objective of this study is to investigate and assess the various mechanisms of legal safeguarding available to children who are victims of domestic violence. Furthermore, advocating for the implementation of legal safeguards to protect children who have experienced domestic violence.

This work use normative legal analysis by examining laws. The data reviewed pertain to legal statutes and regulations concerning instances of familial child abuse. A comprehensive qualitative analysis of the research findings was conducted, commencing with a thorough examination and evaluation of all accessible data from diverse sources.¹¹

Reviews Literature on Domestic Violence

Domestic abuse is a covert type of infringement of human rights that presents substantial difficulties in terms of identification. Revealing instances of domestic violence is difficult because society views the family as a sacred institution that is resistant to outside interference. Adopting a state of quietude as a means to attain tranquility proves to be a potent approach in dealing with occurrences of domestic violence. Spousal and child abuse, carried out by husbands, is a prevalent phenomenon in everyday life. The husband directs his intense anger at his children and wife. Even within the boundaries of the family structure, children are exposed to adverse treatment from their parents. From derogatory remarks to acts of physical aggression.¹²

Maulana Hasan Wadong asserts that the occurrence of violence against children is typically linked to inadequate child protection legislation. As per the

⁹ Laurensius Arliman S, "Perlindungan Hukum Bagi Anak Dalam Perspektif Pancasila Dan Bela Negara," *Unifikasi: Jurnal Ilmu Hukum* 5, no. 1 (2018), p. 58.

¹⁰ Eva Wiji Lestari and Isa Anshori, "Pendidikan Keagamaan Anak Keluarga Muslim Perdesaan Pada Era Industri 4.0," *Ta'dibuna: Jurnal Pendidikan Islam* 10, no. 3 (2021), p. 319.

¹¹ Amiruddin and Zainal Asikin, *Pengantar Metode Penelitian Hukum*, Jakarta: Rajawali Press, 2014.

¹² Rahmi Arif, et.al., "Perlindungan Hukum Terhadap Anak Korban Kekerasan."

World Health Organization (WHO), there exist multiple manifestations of violence directed towards children:¹³

1. Physical violence: refers to actions that inflict pain or can inflict suffering on another individual, whether it happens once or frequently.
2. Sexual Violence: the infliction of harm upon children through engaging them in sexual acts that they lack comprehension of sexual violence includes acts such as the improper treatment of individuals, engagement in activities that contribute to the creation of pornography, the use of explicit language, and the exploitation of children in prostitution.
3. Emotional Abuse: any behavior that hinders a child's emotional (mental) growth and development. These words have the potential to be menacing or daunting.
4. Instances of Neglect/Abandonment: failing to provide proper care and attention to parents or other individuals responsible for meeting the child's requirements might hinder the child's progress.
5. Economic violence: refers to the exploitation of child labor for the advantage of parents or other individuals. This includes subjecting children to excessive work hours and assigning them to inappropriate jobs.¹⁴

The Consequences of Violence on Children

Child violence is a form of aggression that infringes upon the rights of children and can detrimentally affect their welfare. Ensuring the safety of children from domestic abuse necessitates prioritizing legal safeguards for children. Child protection laws should define violence against children within the household explicitly and enforce severe penalties for those who commit acts of violence. Furthermore, legal safeguards should establish a robust and empathetic framework for addressing instances of child abuse. There is a need to enhance the significance of education and public awareness in safeguarding children from violence. Collaboration between schools and communities is vital in imparting constructive principles and promoting nonviolent conflict resolution. Collaboration across diverse entities, including families, educational institutions, legal institutions, and civil society organizations, is crucial for ensuring the legal protection of children. Through collaborative efforts, children who have experienced domestic violence can get sufficient safeguards and opportunities to obtain rehabilitative resources.¹⁵

Violence can have a detrimental effect on children, posing risks to both their physical and mental well-being. Commonly cited effects of violence on children include:¹⁶

¹³ Sukardi, "Perlindungan Hukum Anak Korban Penelantaran Orang Tua."

¹⁴ Sukardi, "Perlindungan Hukum Anak Korban Penelantaran Orang Tua."

¹⁵ Purnama Rozak, "Kekerasan Terhadap Anak Dalam Rumah Tangga Perspektif Hukum Islam," *Sawwa* 9, no. 1 (2013), p. 45–70.

¹⁶ Nyoman Wiraadi Tria Ariani and Komang Suwarni Asih, "Dampak Kekerasan Pada Anak," *Jurnal Psikologi MANDALA* 6, no. 1 (2022), p. 69–78.

1. Impaired cognitive function
2. Emotional regulation challenges
3. Exhibiting a disinclination to engage in social activities
4. Suffering from psychological developmental difficulties
5. Challenging to establish interpersonal connections
6. Lack of confidence in others' trustworthiness
7. Heightened susceptibility to depression and anxiety disorders
8. Encountering mental health issues like post-traumatic stress disorder

If you or someone you are acquainted with is facing issues related to child abuse, it is crucial to promptly seek assistance and guidance. Numerous organizations and services are available to offer resources and assistance to parents or children who are victims of violence.¹⁷

Legislation Addressing Child Violence at The National level

The legal framework in all countries, including Indonesia, governs the rights of children. The 1945 Constitution mandates that the state is responsible for ensuring the protection and well-being of children through constitutional guarantees. The Indonesian childcare rules and standards are based on a hierarchy of legal products, which include both national and ratified international legal products. Hailing from Indonesia. Indonesia officially approved the Convention and Protocol on the Rights of the Child by means of Presidential Decree No. 36 of 1990. Additionally, Law no. 5 of 1998 ratified the Convention against Torture and Other Cruel Treatment or Punishment. Devoid of compassion, having a detrimental impact on the inherent worth and value of human beings. Hence, it is legally bound to honor the agreement and incorporate it into the relevant statutes and regulations.¹⁸

The act of perpetrating violence against children and women constitutes a highly egregious infringement upon their fundamental human rights. Violence against children and women is frequently classified as gender discrimination according to human rights standards, which is explicitly forbidden by law. Article 3, paragraph 3 of the Human Rights Law explicitly regulates the prohibition of discrimination, stating that "Every individual is entitled to the safeguarding of their human rights and fundamental freedoms, free from any form of discrimination." Despite the existence of regulations in human rights law regarding violence against children, Indonesia continues to witness many instances of human rights breaches against children and women. Approximately 24 million women, or for 11.4% of the total population, have been subjected to abuse in the country. This figure represents the incidence of child domestic violence cases that are part of the overall regional violence cases in Indonesia¹⁹

¹⁷ Ariani and Asih, "Dampak Kekerasan Pada Anak,"

¹⁸ Said, "Perlindungan Hukum Terhadap Anak Dalam Perspektif Hak Asasi Manusia."

¹⁹ Wardhani, "Perlindungan Hukum Terhadap Perempuan Korban Kekerasan Dalam Rumah Tangga (KDRT)"

Child protection is to establish an environment in which children are able to exercise their rights and fulfill their responsibilities. According to the principle of *parents patriae*, the state is responsible for caring for and protecting children, just like parents do. Therefore, while dealing with children who break the law, their treatment should prioritize their best interests and align with the values of Pancasila. According to UU no. 23 of 2002, specifically in the child protection section, article 1 paragraph 2 clearly states that child protection involves a range of actions designed to ensure and safeguard the well-being and rights of children. The objective is to enable them to live, thrive, progress, and actively engage in society, while upholding their dignity and human worth, and preventing any form of violence or discrimination.”²⁰

The Indonesian Child Advocacy Institute (LAAI) conducted monitoring for a duration of 3 years. From 2005 to 2007, there was a significant rise in incidents of violence perpetrated against children, with the number of cases growing year. According to the LAAI data, the number of incidents involving violence against children has been steadily rising over the years. In 2005, there were 268 cases, which increased to 304 cases in 2006, and further rose to 380 cases in 2007. The LAAI is now conducting an inquiry and engaging in ongoing discussions regarding this issue. Examined. There remain numerous unresolved cases, particularly domestic incidents that are often concealed due to the involvement of family members as perpetrators.²¹

The execution of child protection measures must align with the principles outlined in the Convention on the Rights of the Child;²²

1. Non-Discrimination refers to the notion of upholding children's rights without any kind of discrimination based on characteristics such as religion, race, ethnicity, gender, language, national origin, political ideology, physical or psychological condition, economic situation, and other relevant factors.
2. The paramount consideration of the child's welfare, namely prioritizing the child's best interests in all endeavors, initiatives, and engagements.
3. The right to ensure the survival, growth, and development of children, specifically by guaranteeing their right to live, sustain life, and maximize their development.
4. Show deference to the viewpoints of children, specifically by acknowledging and guaranteeing their ability to articulate their thoughts,

²⁰ Wiwik Afifah and Gusrin Lessy, “Perlindungan Hukum Terhadap Anak Sebagai Saksi Dalam Sistem Peradilan Pidana Anak,” *DiH: Jurnal Ilmu Hukum* 10, no. 20 (2014).

²¹ Rahmi Arif, et.al., “Perlindungan Hukum Terhadap Anak Korban Kekerasan.”

²² Ratri Novita Erdianti and Sholahuddin Al-Fatih, “Mewujudkan Desa Layak Anak Sebagai Bentuk Perlindungan Hukum Terhadap Anak Di Indonesia,” *Justitia Jurnal Hukum* 3, no. 2 (2019), p. 305–18.

and by offering unrestricted chances for them to express their opinions on any subjects that affect them.²³

Various legal instruments have been designed to provide legal protection for children and women who are victims of violence, particularly domestic abuse, to eradicate gender-based discrimination. The provisions against violence against children and women are outlined in the Criminal Code (KUHP). Articles 351 to 356 of the Criminal Code specifically address acts of aggression against children and women, categorizing them as such. In addition to criminal law, which offers legal safeguards for children and women who have experienced physical violence. Furthermore, Law no. 23 of 2004, which pertains to the dissolution of KDRP, includes regulations in Article 6, Article 16 regarding Protection, and Article 44 about Criminal Sanctions.

In addition, the government continues to implement child protection measures in diverse forms and stages to guarantee the well-being and safeguard the rights of children, enabling them to live equitably and with dignity, free from any type of prejudice. In order to ensure the protection of human rights, including the rights of children, the state endeavors to enforce the regulations outlined in Law no. 35 of 2014, which amends Law no. 23 of 2002. This amendment serves as a means to adapt and optimize the rights of children.²⁴ The Law on Child Protection demonstrates the government's commitment to combatting all types of violence against children. It imposes stringent criminal penalties, acts as a deterrent, and aims to restore the well-being of children in terms of their physical, psychological, and social condition. The enactment of the Child Protection Law aligns with the principles of sound legal formation, the theory of justice, and the principles governing the creation of laws.²⁵

Under this new legislation, child protection encompasses all measures aimed at ensuring and safeguarding the well-being and rights of children, enabling them to thrive, progress, and actively engage in the society while upholding their inherent human dignity. Additionally, it provides safeguards against violence and discrimination. Indeed, the Law on Amendments to the Child Protection Law includes a distinct section that governs the specific safeguarding of children who have suffered from violence. This section outlines measures that can be taken to ensure the provision of specialized protection for these children. Hence, the presence of law enforcement, along with the involvement of relevant entities such as the Government, Regional Government, Indonesian Child Protection Commission (KPAI), and the community, is crucial in order to achieve effective

²³ Ratri Novita Erdianti and Sholahuddin Al-Fatih, "Mewujudkan Desa Layak Anak".

²⁴ Undang-Undang Nomor 35 Tahun 2014 tentang Perubahan atas Undang-Undang Nomor 23 Tahun 2002 Tentang Perlindungan Anak. Dan Undang-Undang Nomor 23 Tahun 2002 tentang Perlindungan Anak.

²⁵ Vincensia Mutiara Rengganis, "Analisis Kebijakan dalam Pembentukan Undang-Undang Nomor 35 Tahun 2014 Tentang Perlindungan Anak," *Sovereignty: Jurnal Demokrasi dan Ketahanan Nasional* 2, No. 1 (2023), p. 71–81.

child protection, particularly for children who have experienced violence.²⁶ Similarly, the important aspect is that the state implemented the child protection legislation as a measure to safeguard children.²⁷

The Role of Justice System in Cases of Child Violence

The court system has a crucial role in addressing acts of violence perpetrated against children. The Indonesian court system features a distinct structure specifically designed to handle cases involving juvenile offenders, commonly referred to as the "Juvenile Criminal Justice System" or Juvenile Justice System. In addition to addressing juvenile offenders, the Juvenile Criminal Justice System also plays a crucial role in safeguarding children from acts of violence and abuse. This include the examination of instances of mistreatment, legal action against offenders, and guaranteeing the security and welfare of child recipients. The Juvenile Criminal Justice System is obligated to advocate for restorative justice as a substitute for punishment, with a focus on the welfare of children and their successful rehabilitation and reintegration into society. In general, the Juvenile Criminal Justice System has a crucial function in safeguarding children from violence and abuse, as well as in advocating for a justice system that gives priority to the welfare of children.²⁸

Judicial institutions in Indonesia offer safeguards for children, such as granting legal authority to adult male brothers who have reached the age of majority. The mother is granted guardianship rights for the child due to the father's abandonment, as he receives a pension. The mother is granted guardianship powers, while the father is obligated to offer a monthly sum of one million, as well as cover the expenses for school and healthcare. This demonstrates that the court, as an integral component of the social framework, and judges, as agents within society, have the responsibility of ensuring child safeguarding in order to establish and maintain societal harmony and structure.²⁹

Assistance and Aid Provided to Individuals or Organizations

The government, through the Ministry of Women's and Children's Empowerment (PPA), has made an effort to protect the rights of children in various

²⁶ Arrista Trimaya, "Arrangements for Child Protection as Victim of Violence In Law Number 35 of 2014 on The Revision of Law Number 23 of 2002 on Child Protection)," *Jurnal Legislasi Indonesia* 12, No. 3 (2015).

²⁷ Elvira Ginting and Muhammad Syukri Albani, "UU Nomor 35 Tahun 2014 tentang Perlindungan Anak Ditinjau dari Maqashid Syari'ah terhadap Kekerasan yang Dilakukan Orang Tua (Studi Kasus di Kabupaten Sibolga)," *Diktum: Jurnal Syariah dan Hukum* 17, No. 1 (2019).

²⁸ Rizanizarli Rizanizarli, et.al., "The Application of Restorative Justice for Children as Criminal Offenders in the Perspective of National Law and Qanun Jināyat," *Samarah: Jurnal Hukum Keluarga dan hukum Islam* 7, No. 1 (2023).

²⁹ Fajri M. Kasim, et.al., "The Sociology of Law Perspective on Child Protection at The Syar'iyah Court in Aceh," *Gender Equality: International Journal of Child and Gender Studies* 7, No. 1 (2021).

aspects of life. This effort includes the creation of a regulation, specifically Regulation Number 11 of 2011, by the Minister of State for Empowerment and Protection of Women and Children of the Republic of Indonesia. This regulation focuses on the development policy for Child-Friendly Districts/Cities. According to the Ministerial Regulation on Child-Friendly Regencies/Cities (referred to as KLA Regency/City), the development system is designed to prioritize children's rights by integrating resources from the government, society, and international organizations. This comprehensive and sustainable approach involves planning policies, programs, and activities to ensure that children's rights are met.³⁰

Discussing issues related to children is a widely discussed subject in contemporary society, necessitating the identification and implementation of effective solutions.³¹ The Child Protection Law governs the provision of specific protection for children, particularly those who are involved in legal conflicts. Children who require particular protection according to the law are entitled to certain rights, which include:³²

1. Psychological Support In the Form of Aid

The Juvenile court System Law Number 11 of 2012 provide adequate safeguards for minors who serve as witnesses in juvenile court cases. According to Article 18, individuals involved in dealing with cases involving children, such as child victims or witnesses, community assistants, social and welfare professionals, investigators, public prosecutors, judges, lawyers, or other legal aid providers, are required to prioritize the well-being of the child and work towards maintaining a stable and nurturing family environment.

2. Children are Free to Choose A Companion They Trust

In addition, the legal provision for the right to be accompanied is explicitly ensured by article (23) paragraph (2) which states: "during any stage of the investigation, the Child Victim or Child Witness must be accompanied by a parent or a person entrusted by the Child Victim and Child Witness, or a Social Worker."

3. The Acquisition of Evidence is Conducted in an Informal Manner

Furthermore, additional safeguards for the juvenile justice system are provided in Article (22), which states: "Investigators, Public Prosecutors, Judges, Community Counselors, Advocates, or other legal aid providers, as well as other officials involved in the investigation of cases involving children, child victims, or minors." The witness was not attired in a toga or any form of official garb".³³

Being a responsible citizen entails demonstrating unwavering allegiance to the state ideology, constitution, laws, regulations, and government policies within

³⁰ Ratri Novita Erdianti and Sholahuddin Al-Fatih, "Mewujudkan Desa Layak Anak".

³¹ Erdianti and Al-Fatih, "Mewujudkan Desa Layak Anak".

³² Afifah and Lessy, "Perlindungan Hukum Terhadap Anak Sebagai Saksi."

³³ Afifah and Lessy, "Perlindungan Hukum Terhadap Anak Sebagai Saksi."

the framework of national and state affairs. Hence, it is incumbent upon citizens to fulfill their duty and accountability in upholding the law, specifically by preserving and adhering to the Constitution (UUD), comprehending its substance and significance, implementing the principles enshrined within it in their daily lives, and demonstrating courage in opposition to infringements of the constitution.³⁴

Education and Awareness

Education is the acquisition of knowledge, skills, and habits from previous generations through teaching, training, or study. Education frequently entails the guidance of mentors, but it also encompasses self-directed activities that do not rely on external assistance. Meanwhile, awareness refers to the state in which an individual possesses the ability to perceive, comprehend, and experience the things and events that they are familiar with.³⁵

The issue of education and awareness of violence against children is a significant concern in contemporary culture. It is crucial to enhance public comprehension and consciousness regarding the repercussions of violence on children, as well as strategies to surmount and avert it. Multiple stakeholders, including parents, educators, school personnel, and educational institutions, have a crucial role to play in raising awareness and providing information on the issue of child violence. The government organizes several initiatives, including workshops, training sessions, and public campaigns, to enhance awareness and comprehension of this issue. The government organizes the Family Welfare Empowerment Program (*Pemberdayaan Kesejahteraan Keluarga/PKK*) as part of its efforts to enhance public comprehension and consciousness regarding violence against children. This program specifically focuses on augmenting family understanding and awareness of the significance of early childhood education (0-6 years) to facilitate the growth and development of children. In addition, character education can serve as a remedy for averting acts of violence against children.

Conclusion

The legal safeguarding of children in instances of domestic abuse is an exceedingly grave concern. Children possess inherent entitlements that necessitate acknowledgment and safeguarding, encompassing the entitlement to existence, maturation, advancement, and immunity from aggression. Indonesia has established legislation and legal mechanisms to govern the protection of children, both domestically and by international standards. Legal child protection measures in cases of domestic violence encompass establishing a precise and comprehensive definition of violence against children, implementing stringent penalties for those who commit acts of violence, implementing efficient and child-sensitive

³⁴ Zahira Anshori, et.al., "Perilaku Konstitusional Dalam Kehidupan Bernegara," *Jurnal Global Citizen*, no. 1 (2023), p. 1–3.

³⁵ Erlindawati Erlindawati and Rika Novianti, "Pengaruh Tingkat Pendidikan, Pendapatan, Kesadaran Dan Pelayanan Terhadap Tingkat Motivasi Masyarakat Dalam Membayar Pajak Bumi Dan Bangunan," *IQTISHADUNA: Jurnal Ilmiah Ekonomi Kita* 9, no. 1 (2020), p. 65–79.

mechanisms for addressing cases of violence, and promoting education and public awareness to safeguard children from violence. Legal protection must encompass the roles and obligations of parents in enforcing discipline, as the family significantly influences children's behavior and character. The juvenile criminal justice system plays a crucial role in addressing situations of abuse against children. The primary objective of the legal system should be to safeguard child victims of violence, ensuring they receive adequate support and prioritizing their overall well-being. In addition, auxiliary services like KLA play a crucial role in guaranteeing the realization of children's rights and the implementation of child protection measures. Education and public awareness play a crucial role in safeguarding children from abuse. Enhancing education on the consequences of violence on children and strategies for its prevention is vital. Implementing several initiatives, including workshops, training sessions, and public campaigns, can effectively enhance public comprehension and consciousness on the issue of violence against children. Programs such as PKK and character education can serve as effective measures in mitigating instances of violence directed at children. To establish a secure setting and safeguard children from domestic abuse, it is imperative for all stakeholders, including the government, families, educational institutions, legal institutions, and civil societies, to engage in coordinated efforts. Therefore, children who experience domestic abuse can be provided with sufficient safeguards and opportunities to obtain rehabilitation services for their healing and recovery.

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